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Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

International Decade for the Eradication of Colonialism

Report of the Secretary-General*

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* This report is being submitted on 19 October 2000 to allow for as much coverage as possible of the period of the Decade.

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I. Introduction

1. On 14 December 1960, the General Assembly adopted resolution 1514 (XV) containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, by which Member States proclaimed the necessity of bringing colonialism to a speedy end. Recalling that 1990 would mark the thirtieth anniversary of the Declaration, the General Assembly adopted resolution 43/47 of 22 November 1988, by which it declared the period 1990 to 2000 as the International Decade for the Eradication of Colonialism. In that resolution, the Assembly also requested the Secretary-General to submit to the Assembly at its forty-fourth session a report that would enable the Assembly to consider and adopt an action plan aimed at ushering in the twenty-first century, a world free from colonialism.

2. In accordance with the above resolution, the Secretary-General submitted three interim reports (A/44/800 of 27 November 1989, A/45/624 of 11 October 1990 and A/46/593 of 24 October 1991 and Add.1) which reproduced the views and suggestions of Member States, organizations of the United Nations system and intergovernmental organizations regarding the Decade. These views and suggestions were, in turn, summarized in the annex to the report of the Secretary-General dated 13 December 1991 (A/46/634/Rev.1). By its resolution 46/181 of 19 December 1991, the General Assembly adopted the proposals contained in the above-mentioned annex as a plan of action for the International Decade for the Eradication of Colonialism.

3. The Plan of Action is divided into sections that highlight the roles of various actors in working towards the eradication of colonialism. Accordingly, it refers to the role of the international community as a whole; to priority action by the United Nations in cooperation with the administering Powers; to priority actions required of the administering Powers; to measures which should be taken by Member States at the national level; to the role of specialized agencies and other organizations of the United Nations system and non-governmental organizations; and to action to be taken by the Special Committee on the situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Finally, paragraph 28 states that "the Secretary-General should submit to the General Assembly at its fifty-fifth session a final report on the achievements of the Decade". The present report is issued pursuant to that request.

4. More than 80 nations whose peoples were formerly under colonial rule have joined the United Nations as sovereign independent States since the Organization was founded in 1945. These have included former Non-Self-Governing Territories and Trust Territories. In 1946, eight Member States (Australia, Belgium, Denmark, France, the Netherlands, New Zealand, the United Kingdom of Great Britain and Northern Ireland and the United States of America) enumerated the 72 Territories under their administration which they considered to be non-self-governing. Eight became independent before 1959. In 1963, the General Assembly approved a revised list of 64 Territories to which the 1960 Declaration applied. From 1960 to 1990, 53 Territories attained self-government. Namibia (referred to on the list as South West Africa), became independent on 23 April 1990. However, throughout the period of review of the present report, the Declaration has continued to apply to the following 17 Non-Self-Governing Territories:

Territory	*Administering Power*
American Samoa	United States
Anguilla	United Kingdom
Bermuda	United Kingdom
British Virgin Islands	United Kingdom
Cayman Islands	United Kingdom
East Timor	Portugal[1]
Falkland Islands (Malvinas)	United Kingdom
Gibraltar	United Kingdom
Guam	United States
Montserrat	United Kingdom
New Caledonia[2]	France
Pitcairn	United Kingdom
St. Helena	United Kingdom
Tokelau	New Zealand
Turks and Caicos Islands	United Kingdom
United States Virgin Islands	United States
Western Sahara	Spain[3]

II. Actions taken during the Decade by United Nations organs

A. General Assembly

5. Throughout the Decade, the General Assembly has considered directly in plenary meetings or in its Fourth Committee a number of questions relating to decolonization and has adopted resolutions and decisions on them. On an annual basis, the Assembly has considered the following items:

(a) Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Under this item, the Assembly considers the report of the Special Committee on the situation and its recommendations on the following Territories and issues: the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Gibraltar, Guam, Montserrat, New Caledonia, Pitcairn, St. Helena, Tokelau, the Turks and Caicos Islands, the United States Virgin Islands and Western Sahara; the issue of the dissemination of information on decolonization; and the issue of military activities and arrangements by colonial Powers in Territories under their administration;

(b) The question of the Falkland Islands (Malvinas);

(c) Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations;

(d) Economic and other activities which affect the interests of the peoples of Non-Self-Governing Territories;

(e) Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations;

(f) Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories;

(g) The question of East Timor.

6. Throughout the Decade, the General Assembly has adopted directives addressed to the Special Committee with respect to its work. It has requested the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out those actions approved by the Assembly regarding the International Decade for the Eradication of Colonialism in all Territories that have not yet exercised their right to self-determination, including independence. More recently, in resolution 54/91 of 6 December 1999, the General Assembly reiterated its request for the Special Committee:

> "(*a*) To formulate specific proposals to bring about an end to colonialism and to report thereon to the General Assembly at its fifty-fifth session;
>
> "(*b*) To continue to examine the implementation by Member States of resolution 1514 (XV) and other relevant resolutions on decolonization;
>
> "(*c*) To continue to pay special attention to the small Territories, including through the dispatch of visiting missions, and to recommend to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, including independence;
>
> "(*d*) To develop a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories before the end of 2000 to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions of the United Nations, including resolutions on specific Territories;
>
> "(*e*) To take all necessary steps to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;
>
> "(*f*) To conduct seminars, as appropriate, for the purpose of receiving and disseminating information on the work of the Special Committee, and to facilitate participation by the peoples of the Non-Self-Governing Territories in those seminars;
>
> "(*g*) To observe annually the Week of Solidarity with the Peoples of Non-Self-Governing Territories, beginning on 25 May;".[4]

7. In its 1999 resolution, the General Assembly also called upon the administering Powers, inter alia, to continue to cooperate with the Special Committee in the discharge of its mandate and to facilitate visiting missions to the Territories; additionally, the Assembly called upon the administering Powers that had not participated formally in the work of the Special Committee to do so at its session in 2000.

8. At the same session, the General Assembly adopted 10 other resolutions and 4 decisions relating to specific Territories or other items on the agenda of the Special Committee, as well as a number of other resolutions relevant to the work of the Special Committee, by which the Assembly entrusted the Special Committee with specific tasks in relation to those Territories and items.

Special Committee on the situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

9. In 1961, the General Assembly established a 17-member Special Committee, enlarged to 24 members in 1962, to examine the application of the Declaration on the Granting of Independence to Colonial Countries and Peoples and to make suggestions and recommendations on the progress and extent of its implementation. Currently, the 24 members of the Committee are the following: Antigua and Barbuda, Bolivia, Chile, China, Congo, Côte d'Ivoire, Cuba, Ethiopia, Fiji, Grenada, India, Indonesia, Iran (Islamic Republic of), Iraq, Mali, Papua New Guinea, Russian Federation, Saint Lucia, Sierra Leone, Syrian Arab Republic, Tunisia, United Republic of Tanzania, Venezuela and Yugoslavia.

10. As the policy-making organ of the General Assembly regarding decolonization, the Special Committee has been at the forefront of United Nations efforts to implement the Plan of Action for the Decade. Information on specific activities carried out in the context of the Decade are to be found in the yearly reports of the Committee.[5]

11. As requested by the Plan of Action, the Special Committee has carried out periodic analyses of the progress and extent of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in each of the remaining Non-Self-Governing Territories and reviewed the impact of the economic and social situation on the constitutional and political advancement of the Territories. The analyses have been based on the information submitted to the Secretary-General by the administering Powers under article 73 *e* of the Charter of the United Nations and the information contained in the annual working papers on each Territory prepared by the Secretariat. On the basis of such analysis, the Committee has formulated recommendations to the General Assembly. In addition, it has reviewed the information provided by the representatives of the Non-Self-Governing Territories at the hearings and the regional seminars it has held.

12. During the Decade, the Committee took decisions annually to continue its consideration of the question of Puerto Rico on the basis of an annual report prepared by the Rapporteur of the Committee. As of 1998, the Special Committee adopted annual resolutions on the question. In 2000, for the first time, the Committee adopted a unanimous resolution on Puerto Rico.

13. As specified in the Plan of Action, the Special Committee organized during the Decade seminars in the Caribbean and Pacific regions alternately. The Seminars have included the participation of the peoples of the Non-Self-Governing Territories, their elected representatives, the administering Powers, Member States, regional organizations, the specialized agencies, non-governmental organizations and experts. Ten regional seminars have been held to date: Vanuatu (1990), Barbados (1990), Grenada (1992), Papua New Guinea (1993 and 1996), Trinidad and Tobago (1995), Antigua and Barbuda (1997), Fiji (1998), St. Lucia (1999) and Marshall Islands (2000). Throughout the Decade, the regional seminars have served as an effective forum for focused discussion on matters of concern to the Non-Self-Governing Territories and have afforded opportunities for the representatives of the peoples of the Territories to present their views and recommendations to the Special Committee. As of 1999, information about each regional seminar, including details of its organization, conduct and proceedings, a summary of statements and discussions, and its conclusions and recommendations have been annexed to the annual reports of the Special Committee to the General Assembly.

14. Paragraph 23 of the Plan of Action states that the Special Committee "should continue to seek, as a matter of priority, the full cooperation of administering

Powers with regard to the dispatch of United Nations visiting missions to Non-Self-Governing Territories". The Special Committee has noted with appreciation that, at the invitation of the Government of New Zealand, a visiting mission was dispatched to Tokelau in 1994. It has also recalled the dispatch in 1979 of a visiting mission to Guam, noted the recommendation of the 1996 Pacific regional seminar that a visiting mission should be sent to Guam and taken note of resolution 464 (LS), adopted by the Guam legislature on 19 July 1996, in which it requested the dispatch of a visiting mission to that Territory. By its resolution A/AC.109/2000/22, the Special Committee requested its Chairman to enter into consultations with the administrating Power of Guam with a view to facilitating this dispatch. The Special Committee has also welcomed the invitation extended by the Governor of American Samoa for the Committee to send a visiting mission to that Territory. In its resolution 54/91 of 6 December 1999, the General Assembly reaffirmed that the United Nations visiting missions to the Territories are an effective means of ascertaining the situation in the Territories as well as the wishes and aspirations of their inhabitants, and called upon the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and to facilitate visiting missions to the Territories.

15. In compliance with the provisions of the relevant resolutions of the General Assembly and the objectives of the Decade, the representatives of New Zealand and Portugal, on behalf of the administering Powers concerned, have continued to participate, in accordance with established procedure, in the work of the Special Committee regarding Tokelau and East Timor[1] respectively. Since the signing of the 1998 Nouméa Accord (A/AC.109/2114, annex) between the Government of France and the representatives of New Caledonia, the delegation of France has also participated in the work of the Committee during its consideration of the question of New Caledonia. The delegations of the United Kingdom and the United States have not participated in the meetings of the Committee in recent years. However, in 1999, on the basis of drafts prepared in 1998, the Chairman and the Committee continued informal contacts with these administering Powers in order to explore means to improve cooperation. During 2000, the Special Committee and the administering Powers concerned agreed on a general work programme that would serve as a basic reference tool in the preparation of individual work programmes for specific territories. As a first step, the Special Committee and the administering Powers concerned agreed to prepare specific work programmes for American Samoa and Pitcairn that would include as an essential ingredient the views of the peoples of the Territories. The Special Committee has reported that, during informal consultations regarding these two Territories held in May 2000, both administering Powers expressed their desire to continue informal dialogues with the Committee.

16. The reform process initiated by the Special Committee in 1991, which brought about a number of changes and improvements in its approach, methods and procedures, continues to be actively pursued. The Special Committee and its Bureau have held informal meetings and wide-ranging exchanges of views as well as extensive consultations through officers of the Committee, in addition to its formal meetings. It has streamlined its documentation requirements and reorganized and simplified the format of its yearly report to the General Assembly. In addition, given the significance of the end of the Decade and the Committee's responsibility to accelerate the implementation of the Declaration, the Committee has concluded a critical review of its work to increase its efficiency and to update the conceptual framework of its future work.

B. The Security Council

17. During the Decade, the Security Council dealt with the certain questions and/or Territories which fall within the purview of the General Assembly's decolonization efforts, whenever a question was brought to its attention under its responsibility for maintenance of international peace and security and the provision of Article 35 of the Charter of the United Nations, as well as under its responsibility under Article 4 (2) of the Charter.

18. In this connection, the Security Council considered reports of the Secretary-General and adopted resolutions and statements by the President of the Security Council[6] on the situation concerning Western Sahara, which was originally placed on its agenda on 20 October 1975 at the request of Spain. In April 1991, following the agreement between Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro regarding the holding of a

referendum for self-determination of the people of Western Sahara, the Security Council established the United Nations Mission for the Referendum in Western Sahara (MINURSO) to organize and supervise a referendum initially envisaged for January 1992. In 1995, the Security Council sent a mission to the region with a view to accelerating the implementation of the settlement plan. In 1997, with a view to breaking the impasse on the implementation of the settlement plan, the Secretary-General appointed James A. Baker, III, former United States Secretary of State, as his Personal Envoy for Western Sahara. Mr. Baker was asked to assess the implementability of the settlement plan, to examine ways of improving the chances of resuming its implementation in the near future and, if there were none, to advise the Secretary-General on other possible ways to move the process forward. Following several rounds of consultations with the parties and neighbouring countries which resulted in the Houston Agreements in September 1997, the implementation of the settlement plan was under way. As new difficulties arose with regard to the parties' position regarding voter eligibility, resulting in yet another impasse, the Secretary-General's Personal Envoy is currently consulting with the parties on ways to resolve the multiple problems relating to the implementation of the settlement plan and to try to agree upon a mutually acceptable political solution to their dispute over Western Sahara. The mandate of MINURSO has been extended until 31 October 2000.

19. During the International Decade, the Security Council has also considered the item on the situation in Timor, which was originally placed on its agenda on 15 December 1975 at the request of Portugal. During the period under review, and specifically during 1999, the Security Council received briefings by the Secretary-General, his Personal Representatives and the Under-Secretaries-General for Political Affairs, as well as considered reports of the Secretary-General[7] and adopted a number of resolutions.[8] After Indonesia and Portugal signed a set of agreements in May 1999 for the settlement of the question of East Timor, the Council established the United Nations Mission in East Timor (UNAMET) which organized and conducted a popular consultation on 30 August 1999. By a majority of 78.5 per cent, the people of East Timor rejected the proposed special autonomy within the unitary Republic of Indonesia and instead chose independence. After the results of the consultation were announced, pro-integration militia, supported by elements of the Indonesian military, carried out a systematic campaign of violence and destruction in East Timor. A Security Council mission visited Indonesia and East Timor to assess the situation and relay its concerns. On 12 September, the Government of Indonesia asked for international assistance to restore peace in East Timor. Acting under Chapter VII of the Charter, the Council authorized the establishment of a multinational force (INTERFET) that restored peace and security, protected and supported UNAMET and facilitated humanitarian assistance operations.[9] In October 1999, Indonesia formally recognized the results of the consultation. On 25 October, the Security Council, acting under Chapter VII of the Charter, established the United Nations Transitional Administration in East Timor (UNTAET), charged with administering the Territory and preparing it for independence. The structure of UNTAET includes governance, public information, humanitarian assistance and military components. The current mandate of UNTAET extends until 31 January 2001.[10]

20. During the period under review, the Security Council also exercised functions under Article 83 of the Charter regarding trusteeship arrangements in areas designated as strategic. The Trust Territory of the Pacific Islands was the only Trust Territory of the original 11 which was considered "strategic" within the meaning of Article 83. Thus, the question was considered by the Security Council and its trusteeship mandate was eventually terminated by the Security Council rather than by the General Assembly. After the Territory divided itself up into four constituent parts (Federated States of Micronesia, the Marshall Islands, the Northern Mariana Islands and Palau), the mandate for the Territory was terminated in a piecemeal manner by the Security Council, on the recommendation of the Trusteeship Council.

21. During the Decade, the Security Council, by resolution 683 (1990) of 22 December 1990, terminated the Trusteeship Agreement for the Federated States of Micronesia, the Marshall Islands and the Northern Mariana Islands. These three entities had become self-governing entities through the exercise of their right to self-determination in plebiscites observed by visiting missions of the Trusteeship Council. Furthermore, the legislatures of those entities had adopted resolutions approving the respective new status agreements (see paras. 24 to 27 below).

22. By resolution 956 (1994) of 10 November 1994, the Security Council terminated the United Nations Trusteeship Agreement for Palau, which had exercised its right to self-determination in approving a new status agreement in a plebiscite observed by a visiting mission of the Trusteeship Council. In addition, the duly constituted legislature of Palau had adopted a resolution approving the new status agreement (see paras. 24 to 29 below).

C. The Economic and Social Council

23. The Economic and Social Council has considered the question of the implementation of the Declaration by the specialized agencies and other United Nations organizations annually and has adopted resolutions asking the specialized agencies to examine and review conditions in each Territory, so as to take appropriate measures to accelerate progress in the economic and social sectors. Reports summarizing information on the support provided by specialized agencies and other organizations of the system to Non-Self-Governing Territories have been issued annually throughout the Decade by the Council.[11] In an ongoing effort to strengthen coordinated action, the President of the Council and the Chairman of the Special Committee have held periodic consultations to consider means to strengthen assistance for economic and social development to the Territories. Furthermore, the Chairman of the Special Committee has participated in the Council's yearly consideration of the related item.

D. The Trusteeship Council

24. In setting up an international trusteeship system, the Charter established the Trusteeship Council as one of the main organs of the United Nations to supervise the administration of Trust Territories. Its major goals were to promote the advancement of the inhabitants of these Territories and their progressive development towards self-government or independence. By 1975, 10 of the 11 Territories placed under the Trusteeship System had either become independent or associated themselves with a State, leaving only the strategic Trust Territory of the Pacific Islands, which was under the administration of the United States and the only one of the original 11 that required Security Council action, as opposed to General Assembly action, to terminate its trusteeship arrangement. As referred to in paragraph 20 above, the Territory had unilaterally divided itself up into four parts.

25. On 8 July 1975, in a plebiscite observed by a visiting mission of the United Nations Trusteeship Council, the Northern Mariana Islands voted to ratify the Covenant to establish a commonwealth of the Northern Mariana Islands in political union with the United States of America.

26. Subsequently, several referendums and plebiscites on a number of issues relating to the future status of the Marshall Islands, the Federated States of Micronesia and Palau were held, including referendums and plebiscites observed by a United Nations Trusteeship Council visiting missions. In 1983, the Federated States of Micronesia held a plebiscite from 21 to 26 June, observed by a United Nations Trusteeship Council visiting mission, in which it approved the Compact of Free Association with the United States of America. Also in 1983, the Marshall Islands held a plebiscite on 6 and 7 September, observed by a United Nations Trusteeship Council visiting mission, at which it approved the Compact of Free Association with the United States.

27. On 7 December 1990, the Trusteeship Council transmitted to the Security Council a draft resolution on the status of the Trust Territory of the Pacific Islands, recommended by the Trusteeship Council, by which it was determined that, in the light of the entry into force of the new status agreements for the Federated States of Micronesia, the Marshall Islands and the Northern Mariana Islands, the objectives of the Trusteeship Agreement had been fully attained, and the applicability of the Trusteeship Agreement had terminated with respect to those entities. The Security Council adopted the draft resolution on 22 December 1990 (see para. 21 above).

28. On 9 November 1993, the remaining Territory Palau held the last of several plebiscites, observed by a United Nations Trusteeship Council visiting mission, at which it voted in favour of a Compact of Free Association with the United States of America. On 2 November 1994, the Trusteeship Council transmitted to the Security Council a draft resolution recommended by the Trusteeship Council, by which the Trusteeship Agreement for the Trust Territory of the Pacific Islands (Palau) was terminated. On 10 November 1994, the Security Council adopted the draft resolution (see para. 22 above).

29. With no Territories left on its agenda, the Trusteeship Council completed its historic task in 1994.

E. The Secretary-General

30. Throughout the Decade, the Secretary-General has exercised good offices in the field of decolonization, in particular with respect to Western Sahara and East Timor (see paras. 18-19). In addition, the Secretary-General promotes the cause of decolonization through the work of the Departments of Political Affairs, Peacekeeping Operations (currently responsible for the United Nations presence in Western Sahara and East Timor), General Assembly Affairs and Conference Services, and Public Information. The Secretariat provides substantive and administrative support to the Special Committee, receives information submitted by the administering Powers under Article 73 *e* of the Charter on the basis of which it prepares yearly working papers on each of the 17 remaining Non-Self-Governing Territories, collects relevant information from the specialized agencies for the preparation of reports, publicizes data of interest to the inhabitants of the Territories, such as offers of study and training facilities by Member States, and organizes seminars at which Member States, representatives of the Territories, experts, and non-governmental organizations can exchange views on the situation in each of the Territories.

31. In addition, given the importance of the dissemination of information as an instrument for furthering decolonization, and in keeping with the stipulations of the Plan of Action for the Decade, the Department of Public Information has, throughout the Decade, broadcast information on decolonization through all available media and publicized the work of the United Nations in this field. Information about the Decade, and specific points arising from the yearly regional seminars have been disseminated through press releases and electronic means to media services and United Nations information centres worldwide. In addition, United Nations activities in Non-Self-Governing Territories such as Western Sahara and East Timor have received specific and sustained coverage. An important step forward in 1999 was the creation of a decolonization web page. A joint project between the Department of Public Information and the Department of Political Affairs, the web page provides information about the historical process of decolonization and the current situation in the remaining Non-Self-Governing Territories and posts up-to-date documents and statements on the issue. A detailed account of media activities is presented annually by the Department of Public Information to the Special Committee, which, in turn, devotes a section of its yearly report to the General Assembly to this question.

III. Action taken during the Decade by the specialized agencies

32. In accordance with the requests contained in the relevant General Assembly resolutions and the stipulations of the Plan of Action for the Decade, the Special Committee has on a yearly basis considered the question of the implementation of the Declaration by the specialized agencies and international institutions associated with the United Nations. A yearly report has been issued on the activities of the specialized agencies and international institutions in the Non-Self-Governing Territories on the basis of information submitted by these bodies. The replies received from them regarding their activities during the Decade are to be found in annex II to the present report.

IV. Support for the Decade by Member States

33. Sections I to IV of the Plan of Action for the Decade spell out specific actions which the international community at large and the administering Powers in particular should carry out at both the international and national levels to address the colonial situations clearly identified in resolutions and decisions of the General Assembly and to assist the peoples of the Non-Self-Governing Territories. In addition to the States members of the Special Committee, a number of interested Member States have participated in the work of the Special Committee as administering Powers or observers and attended the regional seminars on a regular basis.

34. Additionally, Member States have provided scholarships in keeping with General Assembly resolution 845 (IX) of 22 November 1954, in which the Assembly invites Member States to extend to the inhabitants of Non-Self-Governing Territories offers of study and training facilities. In accordance with

General Assembly resolution 1696 (XVI) of 19 December 1961, these offers are communicated by the Secretariat to the administering Powers to enable them to give appropriate publicity to the offers in the Territories under their administration. Throughout the years, 48 Member States and 1 non-member State have extended scholarship offers and awards in response to the aforementioned resolutions. During the Decade, the Secretariat has made these offers public in annual reports.[12]

35. The participation and cooperation by the administering Powers in the work of the Committee has been referred to in paragraphs 14 and 15 above. Specific replies from Member States on their activities to support the Decade are reproduced in annex I to the present report.

V. Proposal for a Second Decade

36. In the light of the conclusion of the Decade, the Special Committee held discussions on its future work. In this regard, its examination of the achievements of the Decade took into account the proposal made by the Movement of the Non-Aligned Countries at its Thirteenth Ministerial Conference, held in Cartagena de Indias, Colombia, on 8 and 9 April 2000. In its final document (A/54/917-S/2000/580, annex) the Movement renewed its commitment to hasten the complete eradication of colonialism and supported the effective implementation of the Plan of Action for the Decade. In this regard, the Ministers proposed the declaration of a new decade for the eradication of colonialism to commence in 2001.

37. Furthermore, the participants at the Pacific regional seminar held in Majuro, Marshall Islands, in May 2000, which was conducted by the Special Committee, endorsed the proclamation of a Second Decade as proposed by the Movement of Non-Aligned Countries. They also stressed the need to formulate an updated plan of action for the eradication of colonialism, focusing on the self-determination of the Non-Self-Governing Territories in accordance with General Assembly resolution 1514 (XV) and other relevant resolutions, and with the continued use of the regional seminars as a means of hearing the views of the peoples concerned.

38. On 20 July 2000, the Special Committee, having reviewed the progress with regard to the implementation of the Plan of Action for the Decade and having noted with concern that the Plan could not be completed by the end of the year 2000, adopted a resolution (A/AC.109/2000/31) in which, inter alia, it decided to recommend that the General Assembly should declare the period 2001-2010 the Second International Decade for the Eradication of Colonialism. By the same resolution, the Committee called upon Member States to redouble their efforts to implement the plan of action, updated where necessary, and called upon the administering Powers to fully cooperate with the Special Committee to develop a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the resolution on decolonization, including resolutions on specific territories. The resolution was submitted to the General Assembly in the form of a recommendation in the report of the Special Committee on its work during 2000.[13]

VI. Conclusions

39. As the end of the Decade for the Eradication of Colonialism approaches, it is clear that the resolutions adopted annually by the General Assembly and the work of the Special Committee and the Fourth Committee have kept the issues facing the remaining Non-Self-Governing Territories firmly on the agenda of the Organization. In the absence of visiting missions to all Territories, the organization of seminars in the Caribbean and Pacific regions in alternate years has allowed for representatives of the Territories, experts and non-governmental organizations to make their views known on the situation facing each particular Territory.

40. A number of positive developments related to decolonization have taken place during the Decade: Namibia proclaimed its independence in March 1990; in the same year, the Federated States of Micronesia, the Marshall Islands and the Northern Mariana Islands became fully self-governing, as did Palau in 1994; in 1998, the people of New Caledonia established a new relationship with the administering Power, France, through the signing of the Nouméa Accord, leading to greater self-government and the holding of a referendum on the future status of the Territory within 15 to 20 years. Throughout the Decade, the people of

Tokelau have continued to build appropriate structures and arrangements while they keep the issue of self-determination under active consideration, in close cooperation with the administering Power, New Zealand. Finally, in 1999, the people of East Timor chose the path to independence, as detailed in paragraph 19 above.

41. In the case of the Falkland Islands (Malvinas) and Gibraltar, each subject to sovereignty disputes, the Special Committee or the General Assembly has continued to urge the Governments involved to continue their negotiations in order to find a definitive solution to the issues.

42. The question of Western Sahara continues to receive close consideration by the General Assembly and the Security Council as well as my own good offices with the parties concerned.

43. However, the task of eradicating colonialism remains unfinished and requires further concerted and determined efforts on the part of all involved. There are still peoples who have been unable to exercise their right to self-determination in accordance with General Assembly resolution 1524 (XV) and other relevant resolutions. These are mainly the peoples of the small island Non-Self-Governing Territories, located mostly in the Pacific and the Caribbean. These Territories often face problems originating in their small size and population, their geographical remoteness, limited natural resources and vulnerability to environmental change and natural disasters. In this regard, the Special Committee has reiterated its conviction that questions of territorial size, geographical isolation or limited resources should not affect the inalienable right of the inhabitants of those Territories to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples. The Committee has also reiterated that it is the responsibility of the administering Powers to create such conditions in those Territories as would enable their peoples to exercise freely and without interference this inalienable right.

44. It is encouraging to note that, during the Decade, there has emerged a new international awareness of the unique development needs of the small island Non-Self-Governing Territories that remain on the list. Significant efforts have been made in this regard by some specialized agencies and by regional commissions, which, over the years, have facilitated the participation of many Non-Self-Governing Territories in their bodies as observers or associate members. This is especially the case in the Economic Commission for Latin America and the Caribbean (ECLAC), which has given associate member status to Anguilla, the British Virgin Islands, Montserrat and the United States Virgin Islands, and in the Economic and Social Commission for Asia and the Pacific (ESCAP), of which American Samoa, Guam and New Caledonia are currently associate members. As a result of this associate membership, the Territories have become eligible to participate as observers in world conferences in the economic and social sphere, a development welcomed in resolutions of the Economic and Social Council and the Special Committee.

45. Other positive developments have been the critical review of work undertaken by the Special Committee in recent years, in order to improve its effectiveness in discharging the mandate entrusted to it by the General Assembly, and the efforts made by the Committee to strengthen the mechanisms for consultation and dialogue with the administering Powers with a view to advancing the implementation of the Declaration in the Territories under their administration. The establishment of a generic work plan to be applied to each Territory on a case-by-case basis and the initial informal meetings with the administering Powers on American Samoa and Pitcairn are steps in the right direction. I encourage the administering Powers to continue to cooperate fully with the Committee in the discharge of its mandate. I also stress the importance of continuous consultation with the peoples of the aforementioned Territories during this exercise in order to ascertain their wishes with respect to the future.

46. While progress may have been limited during the Decade, it has provided a useful framework for concerted international action for the eradication of colonialism and served as a measure of what remains to be done in the field of decolonization. The trends described in the foregoing paragraphs point to encouraging signs for the future. As a proposal by the Special Committee for a Second Decade (2001-2010) is considered by the General Assembly at its fifty-fifth session, the United Nations will continue to strive for the full implementation of the Declaration and the eradication of colonialism from the face of the world.

Notes

[1] East Timor was formerly administered by Portugal and was under Indonesian control between 1975 and 1999. It is now administered by the United Nations Transitional Administration in East Timor, established by Security Council resolution 1272 (1999) and endowed with overall responsibility for the administration of the Territory until it achieves independence.

[2] On 2 December 1986, the General Assembly determined that New Caledonia was a Non-Self-Governing Territory.

[3] On 26 February 1976, Spain informed the Secretary-General that, as of that date, it had terminated its presence in the Territory of the Sahara and deemed it necessary to place on record that Spain considered itself thenceforth exempt from any responsibility of an international nature in connection with the administration of the Territory, in view of the cessation of its participation in the temporary administration established for the Territory. In 1990, the General Assembly reaffirmed that the question of Western Sahara was one of decolonization that remained to be resolved by the people of Western Sahara.

[4] Resolution 2911 (XXVII).

[5] *Official Records of the General Assembly, Forty-sixth Session, Supplement No. 23* (A/46/23); ibid., *Forty-seventh Session* (A/47/23); ibid., *Forty-eighth Session* (A/48/23); ibid., *Forty-ninth Session* (A/49/23); ibid., *Fiftieth Session* (A/50/23); ibid., *Fifty-first Session* (A/51/23); ibid., *Fifty-second Session* (A/52/23); ibid., *Fifty-third Session* (A/53/23); ibid., *Fifty-fourth Session* (A/54/23); and A/55/23 (Parts I-III) (to be issued as *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 23* (A/55/23).

[6] 658 (1990); 690 (1991); 725 (1991); 809 (1993); 907 (1994); S/PRST/1994/39; S/PRST/1994/67; 973 (1995); S/PRST/1995/17; 995 (1995); 1002 (1995); 1017 (1995); 1033 (1995); 1042 (1996); 1056 (1996); 1084 (1996); S/PRST/1997/16, 19 March 1997; 1108 (1997); 1131 (1997); 1133 (1997); 1148 (1997); 1163 (1998); 1198 (1998); 1204 (1998); 1215 (1998); 1224 (1999); 1228 (1998); 1232 (1999); 1135 (1999); 1238 (1999); 1263 (1999); 1292 (1999); 1309 (2000).

[7] S/1999/513, 5 May 1999; S/1999/595, 22 May 1999; S/1999/705, 22 June 1999; S/1999/803, 20 July 1999; S/1999/862, 9 August 1999; S/2000/53, 26 January 2000; S/2000/738, 26 July 2000.

[8] 1236 (1999); 1246 (1999); 1257 (1999); 1262 (1999); 1264 (1999); 1272 (1999).

[9] See Security Council resolution 1264 (1999).

[10] See Security Council resolution 1272 (1999).

[11] See E/1991/116, E/1992/85, E/1993/98, E/1994/114, E/1995/85, E/1996/85, E/1997/81 and Add.1, E/1998/76, E/1999/69 and E/2000/68.

[12] See A/45/560, A/46/517 and Corr.1 and Add.1 and 2, A/47/486, A/48/443, A/49/413, A/50/481, A/51/373, A/52/388 and Add.1 and 2, A/54/267 and A/55/81 and Add.1.

[13] See A/55/23, part III, sect. H. The complete report will be issued as *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 23* (A/55/23).

Annex I

Replies received from Member States

Antigua and Barbuda

[Original: English]
[22 March 2000]

1. Antigua and Barbuda has intensified its role in the United Nations review of the decolonization of the remaining Territories, in conjunction with the States members of the Caribbean Community (CARICOM), throughout the International Decade for the Eradication of Colonialism, in recognition that the Caribbean Territories, in particular, are integral parts of the Caribbean region. In this connection, most Non-Self-Governing Territories are associate members or observers in regional institutions, such as CARICOM, the Organization of Eastern Caribbean States and the Caribbean Development and Cooperation Committee.

2. Antigua and Barbuda has taken particular notice of the plight of neighbouring Montserrat, whose people have been suffering the long-term effects of a volcanic eruption on their country, has provided humanitarian assistance and temporary refuge for those escaping the natural disaster, and has assisted in coordination for those Montserratians who are seeking to return to their homeland. On the United Nations level, Antigua and Barbuda has worked to facilitate the participation of those Non-Self-Governing Territories in the Caribbean, as well as the Pacific, that are associate members of United Nations regional commissions, as observers to the various United Nations world conferences on environment and development, sustainable development of small island developing States, population and development, social development, human settlements, natural disaster reduction, and women and development. Antigua and Barbuda has introduced resolutions and other proposals to include these associate member Territories in the special sessions of the General Assembly to review and assess the implementation of the programmes of action of these respective world conferences. Such activity serves to carry out the mandates of long-standing Assembly resolutions confirming that the participation of the Non-Self-Governing Territories in the wider United Nations system is in furtherance of the decolonization process.

3. As we move speedily towards the close of the first International Decade for the Eradication of Colonialism, declared by the General Assembly in its resolution 43/47 of 22 November 1988, and in its companion resolution 46/181 of 19 December 1991, in which the Assembly approved the Plan of Action for the period, it is clear that the level of implementation of the Plan of Action of the Decade is less than desirable, with major provisions not yet addressed, and priority actions, such as the creation of political education to heighten the awareness of the people of the Territories and visits to each of the Territories by the Secretary-General or his Special Representative, never having materialized.

4. Furthermore, the two critical analyses on the constitutional, political and economic development of the Territories vital to a systematic and complete assessment on the part of the international community of the prevailing condition in these Territories have never been attempted, owing reportedly to a lack of both human and financial resources, which were not provided for in these and other critical aspects of the plan of action.

5. In order to regain the momentum necessary to address the problems of the Non-Self-Governing Territories, Antigua and Barbuda joins with its CARICOM colleagues in proposing a comprehensive plan of action for the Second International Decade for the Eradication of Colonialism, to complete the work left undone in the Plan of Action of the first Decade.

6. One positive development of the implementation of the Plan of Action of the first Decade has been the convening of regional seminars between 1990 and 1999. Antigua and Barbuda had the honour to host the 1997 seminar, where the Territories, United Nations Member States and United Nations agencies were all represented to discuss ways and means of carrying out the task of decolonization of the remaining Territories. Many of the recommendations emanating from those seminars, if implemented, would have propelled the process of self-determination of those Territories at a much quicker pace. Such recommendations included the importance of a fair and unbiased political education programme and the dissemination of information on decolonization to the Territories

themselves, direct and closer participation of the Territories in the work of the United Nations, including technical programmes and observer status in the Special Committee, cooperation between the United Nations and regional institutions in furtherance of the self-determination process, the establishment of an expert group comprised of representatives of the Territories to articulate their concerns and interests to the Special Committee and the Secretary-General, the annual preparation of a status report on the implementation of decolonization resolutions, the reaffirmation of the self-determination process given the legitimate options of political equality as defined in resolution 1541 (XV), and the implementation of the studies and analyses called for in the first plan of action.

7. Of special relevance were several conclusions and recommendations of the 1997 seminar that "any negotiations to determine the status of a Non-Self-Governing Territory must not take place without an active involvement and participation of the people of that Territory", and that "the United Nations should commit the necessary human and financial resources to assist in the processes of an act of self-determination by the peoples of the Territories" (see A/AC.109/2089, para. 41).

8. One key recommendation of the 1998 Fiji seminar is illustrative of how the United Nations should proceed in the years ahead: when the participants noted that "the decolonization period is not over, but rather requires unique remedies in protecting the inalienable rights of the people of the Non-Self-Governing Territories, and in particular, those small island Territories which require special consideration as a result of the vulnerabilities that they share with other small island developing countries in their regions" (see A/AC.109/2121, para. 34). It is these "unique remedies", consistent with international principles of political equality, and within the maximum possible participation of the representatives of the Territories, which the international community must focus upon if the work of the United Nations in decolonization in the twenty-first century is to be successful.

Argentina

[Original: Spanish]
[1 March 2000]

1. The Government of the Argentine Republic once again declares its full support for the decolonization process carried out by the United Nations through its relevant bodies, in conformity with the purposes and principles of the Charter of the United Nations and the principles set forth in General Assembly resolution 1514 (XV). The Argentine Government has a special interest in the successful and final completion of this process and is fully convinced that cooperation among all the Member States of the Organization will make it possible to achieve this goal.

2. The Argentine Republic has demonstrated its firm commitment to the eradication of colonialism since the beginning of this process, establishing close cooperation with the Special Committee on decolonization, particularly at the time of the annual consideration of the situation of the Non-Self-Governing Territories. Furthermore, it actively participated in the regional seminars convened by the Special Committee on issues related to the Non-Self-Governing Territories held in Barbados (1990), Grenada (1992), Trinidad and Tobago (1995), Papua New Guinea (1996), Antigua and Barbuda (1997), Fiji (1998) and Saint Lucia (1999).

3. The Argentine Government is firmly convinced that the work carried out by the Special Committee, as well as the measures adopted by the Secretary-General, have led to impressive progress in the decolonization process. However, there are still unresolved colonial issues to which the Special Committee should devote renewed efforts. Among these, the Argentine Republic attaches particular significance to the sovereignty dispute between it and the United Kingdom of Great Britain and Northern Ireland over the Malvinas Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas.

4. The Special Committee and the General Assembly have recognized on many occasions that the question of the Malvinas Islands is a special and particular colonial case which cannot be compared with the situation of other Non-Self-Governing Territories. In this regard, the General Assembly, in resolution 2065 (XX) and subsequent resolutions, has stressed the recognition by the international community of the

existence of a sovereignty dispute between Argentina and the United Kingdom which should be resolved through bilateral negotiations. Similarly, General Assembly resolution 3160 (XXVIII) indicates that the way to put an end to the colonial situation in the Islands is the solution of the conflict of sovereignty between Argentina and the United Kingdom with regard to this Territory through bilateral negotiations. Through these assertions, the General Assembly has very clearly determined that the principle of self-determination is not applicable to the question of the Malvinas Islands. This view was confirmed by the General Assembly in 1985 when it rejected two United Kingdom amendments which incorporated that principle.

5. Within the framework of the decolonization process, the Argentine Republic has constantly supported the applicability of the principle of self-determination to the peoples under colonial rule in all cases in which the particular circumstances led the United Nations to conclude that this principle was applicable. However, in the case of the Malvinas Islands, the applicability of this principle is ruled out because the colonized people cannot be distinguished from the colonizer, since they are the descendants of the settlers who were transplanted illegally into these Territories by the occupying Power after it had committed an act of usurpation in 1833, expelling the Argentine population which was already there and subsequently preventing them from settling in the Territory or owning land. To grant the current population, which has full United Kingdom citizenship, the right to self-determination would be tantamount to accepting that they should become arbitrators in a territorial dispute to which their country is a party and validating an act of usurpation which has disrupted the territorial integrity of the Argentine Republic. The application of the principle of self-determination cannot be construed as authorizing or encouraging any attempt aimed at the partial or total disruption of the territorial integrity of a sovereign and independent State. This principle is enshrined in paragraph 6 of General Assembly resolution 1514 (XV), stipulating that the principle of territorial integrity is applicable to the decolonization process.

6. The people and Government of Argentina attach great importance and high priority to the recovery of the Malvinas Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas. This is a permanent and irrevocable goal which can be achieved only through the peaceful path of negotiations. The recovery of the Islands through exclusively peaceful means has been guaranteed by the national constitution of Argentina. Furthermore, respect for the way of life and the interests of the inhabitants of the Islands has been incorporated in the constitution, and Argentina has repeatedly offered to negotiate guarantees and safeguards to this end.

7. Despite the repeated international call for negotiations, the prevailing good relations between Argentina and the United Kingdom and the positive attitude demonstrated by Argentina, it has not yet been possible to resume negotiations on the sovereignty dispute. The Argentine Government hopes that the mission of good offices entrusted to the Secretary-General by the General Assembly will lead to a resumption of the dialogue over the sovereignty dispute in order to find a just and lasting solution to the question of the Malvinas Islands.

Chile

[Original: Spanish]
[8 August 2000]

1. With regard to the implementation of the Plan of Action contained in the annex to General Assembly resolution 46/181, Chile wishes to refer in particular to the actions to be carried out by the Special Committee since Chile is an active member of that body. In that respect, it should be noted that the Committee has been active in carrying out all the tasks laid down in chapter VI of the Plan of Action. It has prepared periodic analyses of the progress of the implementation of the Declaration in each Territory, and is reviewing the impact of the economic and social situation on the constitutional and political advancement of the Territories; organizing regional seminars in accordance with what was agreed; seeking the cooperation of administering Powers with regard to the dispatch of visiting missions to the Territories; and encouraging the participation of the Non-Self-Governing Territories in regional and international organizations, as well as in the specialized agencies of the United Nations. The Special Committee has also fulfilled the provisions of chapter VII of the Plan of Action by submitting annual reports to the General Assembly, containing suggestions and recommendations.

2. The Mission of Chile believes that it is important to note that the members of the Special Committee pointed out in 1998 that no Non-Self-Governing Territory on the list had been decolonized since 1984, so that it was necessary to revitalize the process. Thus, during 1999, the Special Committee carried out a vigorous and critical review of its work in order to determine how to meet that objective, and held talks with the administering Powers to seek ways of advancing in that respect. On 28 July 1999, the members of the Special Committee and the administering Powers agreed informally on approaches which would make it possible to proceed towards the exercise of self-determination in those Territories in which no consultations were under way or the parties had not been called upon to negotiate, for which purpose a specific programme of work was to be prepared for each Territory. The agreement with the administering Powers was incorporated in General Assembly resolution 54/91, of 6 December 1999, on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

3. Accordingly, the Mission of Chile hopes that with this new stance of the Special Committee and due cooperation of the administering Powers, it will be possible for the peoples of the aforementioned Non-Self-Governing Territories to decide freely upon their future, within a reasonable period of time.

Colombia

[Original: Spanish]
[16 March 2000]

1. Colombia has always respected the principles of international law and of the self-determination of the peoples. Colombia, as former Chairman and as a member of the Movement of Non-Aligned Countries, recognizes the inalienable right of the peoples of the Non-Self-Governing Territories to self-determination and independence and supports the decolonization process initiated with the adoption of General Assembly resolution 1514 (XV) of 1960 and implemented through subsequent United Nations resolutions.

2. Since Colombia is not an administering Power, and has no Non-Self-Governing Territories under its authority, the position of Colombia has been to support the provisions of the Plan of Action. In this respect, it calls upon the administering Powers to take the necessary measures to protect these Territories against environmental degradation and ecological damage; to ensure timely assistance in the monitoring of both natural and man-made environmental threats and to provide the necessary relief assistance in cases of environmental emergencies.

3. As to the role which should be played by the specialized agencies of the United Nations system and non-governmental organizations, Colombia agrees that at this level mechanisms of international assistance should be worked out, both at the economic and at the financial and environmental levels, so that effective assistance can be given to these Non-Self-Governing Territories in their process of self-determination.

Costa Rica

[Original: Spanish]
[2 June 2000]

1. The Government of Costa Rica believes that paragraph 5 of General Assembly resolution 46/181 is critical for the implementation of the Plan of Action. It invites Member States, the United Nations system and other governmental and non-governmental organizations actively to support the Plan of Action. In the sixth preambular paragraph of resolution 46/181, the General Assembly stresses the important contribution of the United Nations in the field of decolonization, in particular through the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

2. Costa Rica extended its support by voting in favour of General Assembly resolution 43/47 of 22 November 1988, and resolution 46/181 of 19 December 1991. This reflects Costa Rica's position ever since it signed and acceded to the Charter of the United Nations, its principles and goals in support of peace, disarmament in all its aspects, justice, human rights, decolonization and the granting of independence to colonial countries and peoples, the elimination of racial discrimination, and the struggle against apartheid in South Africa, as a member of the Special Committee against Apartheid and as vice-chairman of that important body. Costa Rica has resolutely and firmly supported all actions aimed at strengthening the work of the United Nations in the elimination of colonialism.

3. The Government of Costa Rica believes that the report of the Secretary-General on the International Decade for the Eradication of Colonialism (A/46/634/Rev.1) is valuable and relevant and supports all sections of the annex, in particular, section I entitled "Action at the international level", section IV entitled "Measures at the national level", particularly paragraph 17 which is concerned with the possibilities for action by a Member State which has never had and does not have colonial aspirations, section V entitled "Role of the specialized agencies and other organizations of the United Nations system and non-governmental organizations" and section VI entitled "Action by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples", in all their aspects.

4. The Government of Costa Rica reiterates its commitment to support the efforts of the United Nations for the implementation of the International Decade for the Eradication of Colonialism.

Côte d'Ivoire

[Original: French]
[14 August 2000]

1. Côte d'Ivoire, an African country which strove during the colonial era to liberate Africans from the French colonial yoke in the majority of the former French colonies in black Africa, through the great political liberation movement, the African Democratic Rally (RDA), whose chairman was the late Félix Houphouët Boigny, first President of the independent Republic of Côte d'Ivoire, has been a member of the Special Committee on Decolonization since the country attained international sovereignty on 7 August 1960 and joined the United Nations on 20 September of the same year. Several members of its delegation to the United Nations have actively championed decolonization in that Committee.

2. Hence, during the International Decade for the Eradication of Colonialism and in order to pursue the struggle against colonialism launched by the country's founding fathers, the Ivorian Government instructed the delegation of Côte d'Ivoire to the United Nations to become more closely involved with the work of the Special Committee and, above all, to commit itself firmly to the implementation and execution of the Plan of Action for the Decade.

3. To that end, the representative of Côte d'Ivoire on the Special Committee plays a vigorous part in all its activities and endeavours to propound his country's view that only the peoples of Non-Self-Governing Territories living in territories whose sovereignty is not disputed among the States Members of the United Nations can and must freely choose their political destiny, in accordance with the pertinent resolutions of the United Nations.

4. From time immemorial, this position of principle of Côte d'Ivoire has been reaffirmed in the Special Committee's deliberations and in the dialogue with the administering Powers and the representatives of the peoples of Non-Self-Governing Territories.

5. Côte d'Ivoire has staunchly defended this position in its contribution to the implementation of the Plan of Action for the Decade and in the regional seminars on decolonization which it attended in Antigua and Barbuda in 1997, Fiji in 1998 and the Marshall Islands in 2000.

6. Similarly, in order to gain a wider hearing for its views and contribute more to the cause of decolonization, Côte d'Ivoire accepted the post of second Vice-Chairman of the Special Committee on Decolonization.

7. This, briefly, is what Côte d'Ivoire has been able to do to respond to the invitation of the Secretary-General of the United Nations, in pursuance of resolution 46/181 of 19 December 1991, proclaiming the International Decade for the Eradication of Colonialism.

8. Being aware that the Decade has not sufficed to eradicate colonialism, Côte d'Ivoire hopes that another United Nations international decade for the eradication of colonialism will be proclaimed, as recommended by the Movement of Non-Aligned Countries meeting in Cartagena (Colombia) in April 2000 (see A/54/917-S/2000/580, annex), so that the third millennium can be the one in which the world will be rid of this policy of denying the inalienable right that every people has freely to choose its own political destiny.

Cuba

[Original: Spanish]
[5 July 2000]

1. The issue of decolonization constitutes one of the basic pillars of the foreign policy of the Republic of Cuba, which explains the active role it has been playing in efforts for decolonization undertaken by the United Nations since its creation. The principles of the United Nations Charter with respect to Non-Self-Governing Territories are just as relevant today as at the origins of the United Nations. Since the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples, some 60 countries, with a population of more than 80 million persons, have achieved independence. Nevertheless, there are currently still 17 Non-Self-Governing Territories, with a population of almost 2 million persons, in addition to other Territories which have not yet achieved independence.

2. The work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples therefore continues to be relevant, urgent and necessary. Cuba has supported and will continue to support the Committee's efforts to ensure full implementation of the Declaration.

3. In spite of the progress made, we cannot be satisfied with the results of the Plan of Action approved by virtue of General Assembly resolution 46/181 in the context of the International Decade for the Eradication of Colonialism.

4. Regrettably, the Committee has not received the necessary cooperation from all the administering Powers. Such cooperation is essential for progress towards full implementation of the Declaration. In accordance with the relevant provisions of General Assembly resolution 2621 (XXV), Cuba has called once again on the administering Powers which have not yet done so to take without delay legislative, administrative or other measures to put an end to the activities of enterprises under their jurisdiction involved in the reckless exploitation of the resources of the Non-Self-Governing Territories. Military bases and facilities in the colonial Territories constitute another clear obstacle to the right of those peoples to self-determination and must be withdrawn immediately.

5. The cooperation provided by the administering Powers to visiting missions, with a few exceptions, has not been satisfactory. The sending of such missions to Territories is essential in order to obtain precise information on the spot and facilitate assistance to those peoples on the part of the United Nations.

6. By decision of the Special Committee, the Permanent Representative of Cuba to the United Nations has been designated one of the Vice-Chairmen of the Special Committee for the entire Decade, temporarily chairing the meetings of the Special Committee on numerous occasions and representing it at various international meetings.

7. For a number of years Cuba has coordinated the preparation and introduction of the resolution on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in the Economic and Social Council on behalf of the specialized agencies and international institutions associated with the United Nations. In its capacity as a member of the Council during the greater part of the period covered by the Decade, Cuba has played an active role in the promotion of the Council's activities undertaken with a view to helping the peoples of the Non-Self-Governing Territories achieve their full potential. Access by Non-Self-Governing Territories to relevant United Nations programmes in the economic and social spheres is one element of the preparations necessary for them to achieve full independence.

8. Cuba has also on numerous occasions coordinated the preparation of, and introduced in the General Assembly, draft resolutions relating to the implementation of the Declaration. Cuba has voted in favour of (and in many cases co-sponsored) all the resolutions on decolonization adopted in the Special Committee, as well as in the Fourth Committee and the General Assembly plenary, and strictly implements any provisions relevant to Cuba.

9. Throughout the years the Special Committee has made it a practice to periodically review its working methods and has adopted measures to make them more effective. During the International Decade for the Eradication of Colonialism, the Cuban delegation to the Special Committee has made a number of proposals to facilitate a critical review of the Committee's work in the context of the objectives set in the Plan of Action for the Decade. Cuba has also contributed specific proposals relating to the Special Committee's efforts to

improve the efficiency of the regional seminars on decolonization, an irreplaceable mechanism for dealing with problems of interest to the Non-Self-Governing Territories and obtaining first-hand information on their situation. Cuba was an active participant in the regional seminars held during the Decade.

10. The annual United Nations Week of Solidarity with the Peoples of All Colonial Territories Fighting for Freedom, Independence and Human Rights has always enjoyed Cuba's active support. At the national level, the Week is observed in Cuba every year through a variety of initiatives which involve various sectors of Cuban society. During the Decade, the Cuban media have reported on various questions relating to United Nations decolonization activities, with a view to increasing public awareness of those issues.

11. The need to pay particular attention to the small island States has been an issue traditionally emphasized by Cuba, because of the unique problems those States face as a result of their small size and population, lack of natural resources and vulnerability to natural disasters and environmental risks.

12. It is essential for the expanded programmes of assistance to the peoples of the Non-Self-Governing Territories to receive adequate funding, through the support of the United Nations system's principal financial institutions.

13. During the Decade, with the support of other delegations, Cuba has continued to devote particular energy to promoting a number of issues in the Special Committee, including the issue of Puerto Rico. As a result of those efforts, during the Decade the Special Committee adopted a number of resolutions on Puerto Rico which, inter alia, recognized the inalienable right of that Latin American nation to self-determination and independence, in accordance with General Assembly resolution 1514 (XV). The terrible social, economic and environmental effects which the inhabitants of the island of Vieques (Puerto Rico) have suffered and continue to suffer as a result of the occupation of three quarters of its territory by the United States Marines and its use for military manoeuvres, have also been underscored by Cuba and other countries in the Special Committee.

14. The Department of Political Affairs, in particular its Decolonization Unit, and the Department of General Assembly Affairs and Conference Services, have in recent years done excellent work in providing substantive and organizational assistance to United Nations efforts in the area of decolonization. In order for the Special Committee to function effectively, it is essential that the Secretariat continue to provide it with adequate substantive and technical assistance. The continued support for the Special Committee and the cause of decolonization shown by the Secretary-General merits special recognition.

15. Cuba will continue to cooperate fully with the Special Committee, so that it may successfully execute the mandate given to it in 1961 by General Assembly resolution 1654 (XVI).

16. Cuba believes that it would be very important for the coming decade also to be proclaimed an International Decade for the Eradication of Colonialism, as a clear signal that the United Nations gives decolonization activities its highest priority. During the next Decade, the necessary continuity could be ensured and any unfinished tasks for achieving the objective of a world free of colonialism could at last be completed.

Ghana

[Original: English]
[February 2000]

1. Ghana, not being an administering Power, has not been in the position to undertake activities directly aimed at enabling the peoples of the Non-Self-Governing Territories to achieve self-determination.

2. However, in the course of the International Decade for the Eradication of Colonialism, Ghana, in line with its commitment to the eradication of colonialism — a commitment which it has vigorously pursued since attaining independence — has actively supported and participated in consultations and negotiations aimed at advancing the objective of self-determination for Non-Self-Governing Territories. In line with resolution 46/181 and the Plan of Action for the Decade, Ghana, in concert with other United Nations Member States, has contributed to the adoption of measures aimed at discouraging activities prejudicial to the exercise of the right to self-determination and independence by the peoples of Non-Self-Governing Territories, and at promoting respect for the human rights of the people living under foreign domination.

3. Ghana remains committed to the promotion of self-determination for the peoples of the Non-Self-

Governing Territories and will continue to work with like-minded countries to facilitate the exercise by the peoples of Non-Self-Governing Territories of their inalienable right to self-determination and independence.

Indonesia

[Original: English]
[20 July 2000]

1. Indonesia reaffirms its unequivocal support for the implementation of the Plan of Action for the International Decade for the Eradication of Colonialism, as called for by General Assembly resolution 43/47 of 22 November 1988, to eliminate the remnants of colonialism. As the initiator and co-sponsor of the landmark resolution 1514 (XV), Indonesia continues to be an active participant in the work of the Special Committee. This includes its full participation in the annually held Caribbean or Pacific regional seminars.

2. In beginning this new millennium, Indonesia continues to maintain that the remaining tasks concerning the few Non-Self-Governing Territories should be approached with the fashioning of special solutions to the specific problems and circumstances as they arise. Cognizant of the fact that no two cases of decolonization are similar, subject as they are to historical circumstances and realities, there is a need for flexibility and wisdom in realizing the right to self-determination in those Territories in accordance with resolutions 1514 (XV), 1541 (XV) and 2525 (XXV).

3. Finally, Indonesia is fully confident that, by moving forward in a spirit of cooperation and compromise, the remaining issues of decolonization can be resolved in a fruitful and productive manner. Towards the attainment of this noble goal, Indonesia, as a founding member of the Special Committee, lends its full support.

Iran (Islamic Republic of)

[Original: English]
[19 July 2000]

1. Since Iran attained membership in the Special Committee in December 1962, when the General Assembly enlarged the membership from 17 to 24 members by its resolution 1810 (XVII), Iran served as Rapporteur of the Special Committee in 1968 and as Vice-Chairman in 1970, 1973 and 1974.

2. During the last decade, the Islamic Republic of Iran has participated actively in the work of the Committee and in the implementation of the Plan of Action for the International Decade for the Eradication of Colonialism by formulating, sponsoring and supporting the resolutions and decisions of the Special Committee. The Islamic Republic of Iran has sponsored resolutions such as the resolution entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" and the resolution entitled "Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories". It has participated in two regional seminars, in Antigua and Barbuda (1997) and Marshall Islands (2000), as a member of the official delegation of the Special Committee.

Kenya

[Original: English]
[6 June 2000]

Kenya wishes to confirm its strong support for the implementation of the Plan of Action for the International Decade for the Eradication of Colonialism.

Malaysia

[Original: English]
[31 May 2000]

Malaysia strongly supports the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples through the exercise of the right to self-determination and independence by the populations of the remaining Non-Self-Governing Territories.

New Zealand

[Original: English]
[13 March 2000]

1. The information below covers the action taken by New Zealand in respect of its administration of Tokelau. References in parentheses indicate the relevant paragraphs of the Plan of Action (A/46/634/Rev.1,

annex). These references set out the special responsibilities of administering Powers.

2. (Para. 10) New Zealand and Tokelau have followed since 1992 a constitutional programme which has the effect of providing Tokelau with formal powers to enable it to establish and operate its own national government. Executive and legislative powers were devolved in 1994 and 1996, respectively. The Decade has seen the development of the institution of the General Fono (Tokelau's paramount political body), and its emergence as the central feature of an evolving national constitution. The Council of Faipule, established in 1993, acts as the ongoing executive when the General Fono is not in session. Careful attention has been paid to the criteria which need to be satisfied from a political or constitutional standpoint before any effective self-determination choice can be made. In 1999, there was the initiation of a democratically elected General Fono. New Zealand has met fully the requirement to provide information to the United Nations in accordance with Article 73 *e* of the Charter.

3. (Para. 11) There have been no changes in the demographic composition of Tokelau which could affect any exercise of the right of self-determination. Non-nationals living in Tokelau are few in number and in the main are of Samoan or Tuvalu origin; they are well integrated, commonly through marriage. There is only one long-standing resident of European origin.

4. (Para. 12) Tokelau is committed in its programmes to the maximum possible level of economic self-reliance, environmental protection, and social and economic development. The statement on official development cooperation of 1 October 1998 set out the direction and broad structure of New Zealand official development assistance to Tokelau, to better meet new development and governance needs into the medium term.

5. (Para. 13) New Zealand's cooperation with the Special Committee in respect of Tokelau extends to regular involvement in its work. This "exemplary cooperation" is acknowledged in Special Committee and General Assembly resolutions on Tokelau.

6. (Para. 14) Tokelau participates in the Special Committee's work, subject only to logistical constraints. On three occasions since 1996, presentations were made by the head of its government during the annual consideration of the question of Tokelau. Representatives of Tokelau attended two regional seminars, one in the Pacific and one in the Caribbean. Tokelau is an associate member of the World Health Organization, and the United Nations Development Programme provides valuable support within a country framework context.

7. (Para. 15) New Zealand facilitated a United Nations visiting mission to Tokelau in 1994. Tokelau informed the mission that it had under active consideration both the Constitution of a self-governing Tokelau, and an act of self-determination.

8. (Para. 16) Tokelauans have sustained life in their remote and physically precarious atolls for some 10 centuries. There are environmental threats, and — given that Tokelau is vulnerable to cyclones — periodic environmental emergencies. New Zealand responded promptly to cyclone-related needs in 1990 and 1991. Environmental threats are addressed within the context of regular government-funded programmes in which communities participate and to which New Zealand is a sizeable material contributor through ongoing financial support.

9. (Para. 17) In regard to adopting measures at the national level that would discourage all actions and activities, commercial or otherwise, which could be prejudicial to the exercise of the right to self-determination and independence by the people of Tokelau, the need does not arise in practice. In regard to promoting full respect for the human rights of the people of Tokelau and facilitating their recourse to judicial proceedings in order to gain economic and social restitution, Tokelauans relate to the institution of the village, which is their everyday world; the village has remained largely autonomous through the colonial phase of the last century. The local recognition of the need for a national government capacity is the product of Tokelau's contemporary need to manage its response to external forces, given the extent to which the outside world has changed life and material expectations there. As Tokelau has developed its governance arrangements in the 1990s, it has recognized that it is bound by a number of international human rights treaties. A 1991 booklet produced in Tokelauan and English included the main human rights documents of relevance to Tokelau. In its early attention to a Constitution, Tokelau has included the mode of reflecting therein its commitment to human rights.

10. (Para. 18) There is no New Zealand military base or installation in Tokelau.

Papua New Guinea

[Original: English]
[28 June 2000]

1. The Government of Papua New Guinea has had the honour to have been actively involved in the work of the Special Committee not only as a member but also in providing the Chairperson for the Special Committee, on a number of occasions, during the Decade. The Government will continue to do its part in the implementation of the mandate of the Special Committee for as long as it is necessary in future. Although the Government is disappointed that not much progress was made during the Decade in the implementation of the mandate as regards the remaining 17 Non-Self-Governing Territories, and that 1999 was marked by bloodshed in East Timor, it continues to hold the hope that further progress will be made during the next decade on decolonization.

2. The Government also notes that, under the current Chairmanship of the Committee, some progress has been made towards reconciling the differences between the administering Powers and the Special Committee. It continues to hope that the Special Committee can move swiftly, with the agreement of the administering Powers, towards the formal adoption of a work programme for the eventual decolonization of each of the remaining Non-Self-Governing Territories on a case-by-case basis. In this respect, it is the formal position of the Government of Papua New Guinea that no distinction should be made between the remaining Territories and that the work programmes being developed universally, should be refined and applied on a case-by-case basis depending on the particular circumstances of the Territory concerned.

3. The Government of Papua New Guinea considers that there should be some complementarity in the development of the work programmes for each Non-Self-Governing Territory and the establishment by the General Assembly of another international decade for the decolonization of the remaining Non-Self-Governing Territories, and supports the decision taken by the Movement of Non-Aligned Countries to call for a new decade for the eradication of colonialism (see A/54/917-S/2000/580, annex).

Republic of Korea

[Original: English]
[5 March 2000]

As requested by the Secretary-General, the Republic of Korea would like to express its constant support for the implementation of the plan of action throughout the International Decade for the Eradication of Colonialism and thereafter.

Saint Lucia

[Original: English]
[17 March 2000]

1. Owing to the importance of furthering the process of the attainment of full internal self-government and absolute political equality for the people of the remaining 17 Non-Self-Governing Territories, Saint Lucia became a member of the Special Committee of 24 in 1997 in order to contribute more directly to the self-determination process of the mostly small island Territories. Even before joining the Special Committee, Saint Lucia had been an active participant throughout the Decade in the general debates of the Third and Fourth Committees and in the plenary, on the relevant agenda items on decolonization and self-determination. Saint Lucia has served as Chair and Vice-Chair of the Fourth Committee during the decade. Mostly, recently, during the fifty-fourth session of the General Assembly, statements were delivered in the Third Committee on the right to self-determination, and in the Fourth Committee on behalf of CARICOM on the political, economic and social development of the small island Territories.

2. In May 1999, Saint Lucia hosted the Caribbean regional seminar to review the political, economic and social conditions in the small island Non-Self-Governing Territories, which brought together territorial government representatives, United Nations Member States, regional experts and non-governmental organizations to exchange views on the process of self-determination, and to make recommendations on the modalities of fostering full self-government for the remaining Territories.

3. Saint Lucia subsequently prepared and submitted to the Special Committee a document entitled "Comments on the conceptual framework for the review of the constitutional and juridical status of the

Non-Self-Governing Territories and on progress in the implementation of the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples" (A/AC.109/1999/21). The document approached the issue of self-determination from a small island developing country perspective, and emphasized the importance of maintaining the long-standing principles of complete and absolute equality as the guidelines for the international community in seeking innovative and flexible solutions to bringing decolonization to a successful conclusion. The paper pointed out that the three legitimate political status options of independence, free association, or integration with full political rights, as defined in the annex to General Assembly resolution 1541 (XV), have consistently been reaffirmed by the Assembly in its resolutions as the applicable guidelines for the self-determination of the Non-Self-Governing Territories, including the small island Territories, which have no less right to political equality than Territories that were decolonized before them. The paper argued that, until the existent unequal dependency arrangements that remained inconsistent with full political equality were addressed, there would be a need for continual oversight by the United Nations.

4. The need for implementation of resolutions on decolonization was also alluded to in the above-mentioned document, given the fact that the "success rate" in carrying out the prescriptions of the General Assembly during the Decade has not been acceptable, and that many of the answers to the successful decolonization of the small island Territories lie in the implementation of the recommendations already adopted by the Assembly.

5. In this regard, Saint Lucia in its statements throughout the Decade has consistently expressed concern over the non-implementation of General Assembly resolutions on decolonization. Since the Plan of Action for the International Decade for the Eradication of Colonialism was approved by the General Assembly in its resolution 46/181 of 19 December 1991, the Assembly has adopted annual resolutions on a variety of decolonization issues. Of particular note are the annual references in the resolution on implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, which request the Special Committee "to carry out those actions approved by the General Assembly regarding the International Decade for the Eradication of Colonialism", and to formulate specific proposals for the elimination of the remaining manifestations of colonialism and to report thereon to the General Assembly. Reports containing such proposals, however, have not been forthcoming during the Decade.

6. The annual resolutions also called for yearly examination of compliance of Member States with resolution 1514 (XV) and other relevant resolutions on decolonization, and for recommendations to the General Assembly on "the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination ...". The information on Member State compliance with decolonization resolutions, and on recommended steps towards self-determination, have been either insufficient or non-existent over the period of the Decade.

7. Also during the Decade, the General Assembly adopted resolutions specific to the political, economic and social development of the small Territories. Of particular note are repeated recommendations calling for "programmes of political education in the Territories in order to foster an awareness among the people of the possibilities open to them in the exercise of their right to self-determination, in conformity with legitimate political status options clearly defined in resolution 1541 (XV)". No political education programmes have been reported to the Special Committee. Recommendations on United Nations visiting missions to the Territories have also gone unimplemented.

8. Because of the failure to carry out the prescriptions for a successful decolonization process contained in the plan of action for the Decade and the relevant resolutions of the General Assembly, it is certain that the eradication of colonialism called for in the decade of the 1990s will not have been achieved by the end of the year 2000. Given a modicum of resources and expertise, the decolonization of the remaining Territories can yet be realized in a targeted Second Decade on Decolonization.

Saudi Arabia

[Original: Arabic]
[2 February 2000]

With reference to your letter of 7 December 1999 concerning General Assembly resolutions 43/47 of 22 November 1998 and 46/181 of 19 December 1991

entitled "International Decade for the Eradication of Colonialism", and with reference to the report of the Secretary-General on implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/46/634/Rev.1) dated 13 December 1991, the Kingdom of Saudi Arabia has made an active and efficient contribution towards implementing the Plan of Action for the International Decade for the Eradication of Colonialism by effectively assisting the peoples of the Non-Self-Governing Territories in their progress towards self-determination and enabling the people of each Non-Self-Governing Territory to exercise their inalienable right to self-determination and the determination of their future political status.

The support of the Kingdom of Saudi Arabia for the right of the Palestinian people to self-determination and for their empowerment to exercise their inalienable right is an outstanding example of the Kingdom's contribution to implementation of the Plan of Action for the International Decade for the Eradication of Colonialism.

Spain

[Original: Spanish]
[15 March 2000]

Introduction

1. In resolution 43/47, the General Assembly proclaimed the International Decade for the Eradication of Colonialism for the years 1990-2000 and requested that a plan of action should be prepared to ensure that the twenty-first century would be free from colonialism.

2. Spain, which has from the outset supported the work of the United Nations to achieve a world free from colonialism, cannot help but express frustration at the fact that colonial situations, including Gibraltar, still exist as the Decade comes to an end.

3. Spain is a colonized country. It is suffering in its own territory from the canker of a British colony, Gibraltar, which is disrupting its national unity and territorial integrity. The decolonization of Gibraltar is a priority goal for Spain. In its resolution 2429 (XXII) of 18 December 1968, the General Assembly requested the administering Power to terminate the colonial situation. Unfortunately, 32 years later, Gibraltar has not been decolonized despite the Spanish efforts and proposals.

Spanish claim and right of sovereignty

4. The Spanish claim relates, on the one hand, to the Rock of Gibraltar, ceded by article X of the Treaty of Utrecht and, on the other hand, to the Isthmus, not ceded by the Treaty of Utrecht but illegally occupied by the United Kingdom throughout the nineteenth century.

5. The British right of sovereignty derives from article X of the Treaty of Utrecht. That article contains a clause establishing that, if the United Kingdom were to dispose of Gibraltar, Spain would have preference to buy it back. The clause states:

> "And in case it shall hereafter seem meet to the Crown of Great Britain to grant, sell or by any means to alienate therefrom the propriety of the said town of Gibraltar, it is hereby agreed and concluded that the preference of having the sale shall always be given to the Crown of Spain before any others".

United Nations doctrine on the decolonization of Gibraltar

6. The United Nations has established in various resolutions that there is no one formula for decolonization. The principle of self-determination, although applicable to most colonial situations, is not absolute. It is limited by another principle — that of territorial integrity, as specified in resolutions 1514 (XV) and 2625 (XXV). For the specific case of the decolonization of Gibraltar, the principle of territorial integrity applies, as recognized in resolutions 2353 (XXII) and 2429 (XXIII).

7. General Assembly resolution 1514 (XV) states in paragraph 6 "Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations".

8. This same principle was reiterated in resolution 2625 (XXV) of 24 October 1970, which stated that any action which would dismember or impair, totally or in part, the territorial integrity of States was incompatible with the purposes and principles of the Charter of the United Nations.

9. On the basis of these resolutions, successive resolutions of the General Assembly, and in particular those referring to Gibraltar, have reiterated that the principle of territorial integrity is fully applicable to the decolonization of Gibraltar.

10. For example, the preamble to resolution 2353 (XXII) of 19 December 1967, states

> "*Considering* that any colonial situation which partially or completely destroys the national unity and territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations, and specifically with paragraph 6 of General Assembly resolution 1514 (XV)".

11. Similarly, in resolution 2429 (XXIII) of 18 December 1968, in paragraph 2, the General Assembly "*Declares* that the continuation of the colonial situation in Gibraltar is incompatible with the purposes and principles of the Charter of the United Nations and of General Assembly resolution 1514 (XV)" and in paragraph 3 "*Requests* the administering Power to terminate the colonial situation in Gibraltar".

12. Moreover, in most of the 17 Territories still to be decolonized, the end of the colonial situation will have to be achieved through dialogue between the colonized people and the administering Power. On the other hand, in Territories in which there is a conflict of sovereignty, the dialogue should take place between the administering Power and the country in whose territory the colony is situated. This is the case of Gibraltar, which should be resolved through negotiations between Spain and the United Kingdom. This is recognized in resolution 2429 (XXIII) and in the successive decisions adopted by the General Assembly each subsequent year.

13. In this clearly defined doctrinal framework, the United Nations must remain especially vigilant regarding the attempts by the Gibraltarian authorities unilaterally to exclude Gibraltar from the list of Territories to be decolonized and to present themselves as a third interlocutor in the dispute. In this connection, it should be emphasized that the referendum organized by the administering Power to approve its so-called "Constitution" of 1969 was expressly condemned by General Assembly resolution 2353 (XXII).

Implementation of the resolutions and decisions of the General Assembly

Negotiating process

14. Under the resolutions and decisions of the General Assembly, Spain and the United Kingdom undertook to conduct negotiations to resolve the dispute. The negotiating process, known as the Brussels Process, began with the Lisbon Declaration of 10 April 1980 and continued with the Brussels Declaration of 27 November 1984 (A/39/732, annex), in which there was agreement on inter alia:

> "The establishment of a negotiating process aimed at overcoming all the differences between them over Gibraltar and at promoting cooperation on a mutually beneficial basis on economic, cultural, touristic, aviation, military and environmental matters. Both sides accept that the issues of sovereignty will be discussed in that process."

The local authorities of Gibraltar participated in the negotiations until 1988, when they decided to withdraw from them. The last meeting under the Brussels Process was held on 10 December 1997. Spain remains ready to continue using this negotiating process to solve the dispute in accordance with the doctrine and decisions of the General Assembly.

Spanish proposal

15. On 10 December 1997, within the framework of the negotiating process on Gibraltar, the Minister for Foreign Affairs of Spain, Mr. Abel Matutes, made a proposal to the Foreign and Commonwealth Secretary of the United Kingdom for solving the Gibraltar dispute in accordance with the provisions of the decisions of the General Assembly. In accordance with the decisions of the General Assembly, this proposal takes into account the interests of the current population of Gibraltar. It contains the following points:

A Statute is proposed for Gibraltar similar in its degree of political and administrative autonomy to that of the Spanish Autonomous Communities. Inter alia, it involves the following:

(i) The democratic rights and freedoms set out in and protected by the Spanish Constitution of 1978 would automatically be extended to

Gibraltar, which has them similarly formulated in its "Constitution" of 1969.

(ii) Like the most advanced Statutes of Autonomy, that of Gibraltar would protect Gibraltar's linguistic and cultural identity within the Spanish context.

(iii) The negotiation of the Statute would include determination of the powers that would be accorded to the Government of Gibraltar in line with the definition of the powers that Autonomous Communities may assume under article 148 of the Spanish Constitution of 1978.

(iv) The Statute would also provide for self-government institutions to be organized for the territory, including the special system for the judiciary.

(v) Such special features as may be agreed concerning Gibraltar's economic system would also be provided for. Spain would have no problem, in this area, with accepting the current economic features that define Gibraltar's status within the European Union.

(vi) Concerning the personal status of the people of Gibraltar, it might be possible to negotiate a special preferential system for acquiring Spanish nationality or keeping dual nationality.

(vii) As a guarantee for the people of Gibraltar, Spain is prepared to accept a transitional period in which sovereignty would be exercised jointly by Spain and the United Kingdom, at the end of which transitional period transfer to Spain would be envisaged. The details of this transitional period or the possibility of studying another similar formula would be open for negotiation.

Spanish participation in the work of the Special Committee and in the Fourth Committee

16. Spain has taken a great interest in decolonization questions both in its discussions in the Special Committee and in the debates held on this item each year in the Fourth Committee. For example, Spain has actively participated in the discussions in the Special Committee and in the work of the Fourth Committee, intervening in all the discussions, as is reflected in various United Nations documents.

17. Moreover, Spanish representatives have attended and participated in the seminars on decolonization in the Pacific (Papua New Guinea, 14 to 16 June 1996) and in the Caribbean (Antigua and Barbuda, 21 to 24 May 1997) organized under the Plan of Action for the International Decade for the Eradication of Colonialism adopted by the General Assembly in its resolution 46/181 of 19 December 1991.

18. In addition, in line with its commitment to the decolonization work of the United Nations, Spain believes that the Special Committee should retain its full political relevance. This must be so, as long as there are still Territories to be decolonized. It would therefore not be acceptable for it to become subsidiary to an organ of an administrative or technical nature. Spain's interest in the work of the Special Committee was already expressed in 1997 when Spain supported retention of the United Nations Decolonization Unit in the Department of Political Affairs of the Secretariat.

Conclusion

19. The Government of Spain remains ready to continue working with the United Nations to achieve the goal of a world free from colonialism. It also hopes that the resolutions and decisions of the General Assembly will be implemented. And it remains ready, in the specific case of Gibraltar, to continue the dialogue and negotiation to terminate the colonial situation of Gibraltar, which is disrupting the territorial integrity of Spain and its national unity.

Thailand

[Original: English]
[8 June 2000]

Thailand is not an administering Power, and thus is not directly involved in the implementation of the aforesaid plan of action. Thailand remains, however, strongly supportive of the exercise of the inalienable rights to self-determination by the populations of the remaining Non-Self-Governing Territories, in accordance with the relevant General Assembly resolutions. In this regard, Thailand has always voted in favour of all relevant General Assembly resolutions advocating the eradication of colonialism by the year 1999.

Annex II

Replies received from United Nations bodies, specialized agencies and international institutions associated with the United Nations

A. Commission on Human Rights/Office of the United Nations High Commissioner for Human Rights

1. The Charter of the United Nations, the two principal Covenants on human rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples[a] and the Declaration on the Right to Development[b] refer to self-determination as a fundamental human right. These main human rights instruments provide a legal framework within which steps should be taken to eradicate colonialism. The work of the Commission on Human Rights has contributed to better international understanding of the right of peoples to self-determination. The Commission has considered this issue as a matter of high priority, under the agenda item, entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation".

2. In Western Sahara, the Commission on Human Rights has considered the question on an annual basis since 1986. In its resolution 1992/18 of 28 February 1992,[c] the Commission welcomed and endorsed the decision and initiatives undertaken by the Security Council with regard to the organization of a referendum on self-determination for the people of Western Sahara. In its resolution 2000/2 of 7 April 2000,[d] the Commission, inter alia, noted with satisfaction the progress achieved in connection with the implementation of the settlement plan, and urged the two parties to continue their cooperation with the Secretary-General and his Personal Envoy, as well as with his Special Representative.

3. In East Timor, the Commission on Human Rights and its subsidiary body, the Subcommission on the Promotion and Protection of Human Rights, have considered the question since 1982. In 1990, the subcommission noted that the people of East Timor continued to be subjected to gross violations of human rights, and expressed regret at the restrictions imposed on the activities of specialized non-governmental organizations by local military authorities; it requested the Indonesian authorities to facilitate access by international humanitarian and development organizations and welcomed the good offices of the Secretary-General towards a settlement guaranteeing full respect for human rights in East Timor. In 1991, the Government of Indonesia accepted that the visit of the Special Rapporteur on the question of torture to Indonesia should include the territory of East Timor. The Special Rapporteur reported on his visit to the Commission at its forty-eighth session.

4. In September 1999, the Commission on Human Rights held its fourth special session, dedicated to the situation in East Timor. In its resolution 1999/S-4/1 of 27 September 1999,[e] the Commission, inter alia, welcomed the decision of the Government of Indonesia to allow the exercise by the East Timorese of their right to self-determination by popular consultation on 30 August 1999. Unfortunately, violence broke out at the announcement of the results of the consultation and the High Commissioner travelled to the region to discuss the situation with the relevant authorities. The Commission, in its resolution 1999/S-4/1, welcomed the efforts of the United Nations High Commissioner for Human Rights in addressing the situation, including her visit to Darwin and Jakarta.

5. Also in its resolution 1999/S-4/1, the Commission condemned the widespread, systematic and gross violations of human rights, and expressed its deep concern at forced removal and dislocation of persons and the serious humanitarian situation of the displaced East Timorese. The Commission called upon the Government of Indonesia to ensure that human rights and international human rights law were fully respected in regard to all persons within its jurisdiction or under its control. In addition, the Commission called upon the Secretary-General to establish an international commission of inquiry in order, in cooperation with the Indonesian National Commission on Human Rights and thematic rapporteurs, to gather and compile information on possible violations of human rights and acts which might constitute breaches of international humanitarian law.

6. The Commission decided to request the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Representative of the Secretary-General on internally displaced persons, the Special Rapporteur

on the question of torture, the Special Rapporteur on violence against women, its causes and consequences, and the Working Group on Enforced or Involuntary Disappearances to carry out missions to East Timor and report on their findings to the Commission at its fifty-sixth session and, on an interim basis, to the General Assembly at its fifty-fourth session.

7. In December 1999, the Secretary-General transmitted to the members of the General Assembly the report on the joint mission to East Timor undertaken by the Special Rapporteurs (A/54/660). The report of the international commission of inquiry was transmitted to the Secretary-General in January 2000 (see A/54/726-S/2000/59). The High Commissioner reported to the Commission at its fifty-sixth session on developments in the situation of human rights in East Timor (see E/CN.4/2000/27). As requested also by the Commission, the Office of the High Commissioner, in collaboration with the Department of Peacekeeping Operations, is developing, with the Human Rights Office of the United Nations Transitional Administration in East Timor (UNTAET), technical cooperation programmes focusing particularly on capacity-building and reconciliation as well as the administration of justice and the question of impunity.

8. The Commission on Human Rights, during its fifty-sixth session, in 2000, by its Chairman's statement, welcomed the general progress made and some concrete steps already taken by the Government of Indonesia to investigate fully violations of human rights and in international humanitarian law and to bring those responsible to justice. The Commission further welcomed the signature by the Government of Indonesia and UNTAET of a memorandum of understanding envisaging mutual cooperation in legal, judicial and human rights-related matters. The Commission requested the High Commissioner to continue to provide technical assistance and advisory services to the Government of Indonesia in its efforts to investigate and bring to justice the alleged perpetrators of the violations of human rights and international humanitarian law in East Timor, including in the establishment of a special human rights court. Finally, the Commission decided to request the High Commissioner to submit an interim report to the General Assembly at its fifty-fifth session and to report to the Commission at its fifty-seventh session, in 2001.

B. Food and Agriculture Organization of the United Nations

9. While the Food and Agriculture Organization of the United Nations (FAO) did not undertake any technical assistance during 1999 in the Non-Self-Governing Territories, its assistance in the areas of food security, agricultural, forest and fisheries development remains relevant to the small island territories, which form the large majority of the remaining Non-Self-Governing Territories. The FAO contribution to work of the Commission on Sustainable Development on the sustainable development of small island developing States is also relevant in this regard.

C. United Nations International Drug Control Programme

10. During the International Decade for the Eradication of Colonialism, the United Nations International Drug Control Programme (UNDCP) has provided a wide range of legal assistance to the Caribbean and Pacific island Territories and recently independent States to help them become party to the international drug control treaties and implement them. Assistance included the drafting or upgrading of enabling domestic laws, policies and infrastructures in line with the treaties; training of police, customs, prosecution and judicial services to effectively implement those laws; and problem-solving legal workshops to enhance international legal and judicial cooperation (for example, extradition and mutual legal assistance cooperation) between these States and Territories and the wider international community in their international drug-related crime casework.

11. With respect to money-laundering, individual financial experts from Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Gibraltar, Montserrat and the Turks and Caicos Islands attended the United Nations Offshore Forum convened by the global programme against money-laundering in March 2000 in the Cayman Islands. The objective of the Forum was to obtain global commitment to internationally accepted standards of financial regulation and anti-money-laundering measures as they apply to the provision of cross-border financial services. No requests for technical assistance have been received from these Territories as it appears that the administering State is in control of this sector.

12. UNDCP's regional demand reduction activities in the Caribbean have included the Non-Self-Governing Territories, in particular Anguilla and the British Virgin Islands.

D. United Nations Development Programme

13. Information on the support provided by the United Nations Development Programme (UNDP) to Non-Self-Governing Territories has been included in the reports issued annually by the Economic and Social Council (E/1991/116, E/1992/85, E/1993/98, E/1994/114, E/1995/85, E/1996/85, E/1997/81 and Add.1, E/1998/76, E/1999/69 and E/2000/68).

Activities in the Caribbean

14. UNDP has programmes of technical cooperation in five Non-Self-Governing Territories in the Caribbean region, namely, Anguilla, British Virgin Islands, Cayman Islands, Montserrat and Turks and Caicos Islands. Details of these programmes are to be found in paragraphs 6 to 24 of the most recent annual report of the Economic and Social Council on the matter (E/2000/68 of 15 June 2000).

Activities in East Timor

15. To respond to the immediate rehabilitation needs produced by the crisis in East Timor, UNDP established projects covering urgent road recovery and immediate recovery of agricultural production. An intensive training course for judges and lawyers was conducted and vocational training courses for urban and rural East Timorese youth began to provide them with the basic skills needed for reconstruction work. A capacity-building programme for national non-governmental organizations was planned, as was a community rehabilitation project, aimed at providing immediate opportunities for local communities to develop and implement activities promoting sustainable human development, and the greater involvement of civil society in independent nation-building. The above activities were funded largely by a $1.2 million UNDP emergency fund allocation.

16. UNDP established an office in East Timor and was initially allocated $5 million by the Executive Board, towards projects in governance, public administration, support for the judiciary, support for nation-building and national capacity-building. UNDP was instrumental in the establishment of the United Nations House, as the Organization's common premises in East Timor. It also provided information technology connectivity for the assistance community working in East Timor.

Activities in Saint Helena

17. Following an analysis of Saint Helena's current and emerging national priorities, the UNDP thematic areas of sustainable human development, and the assistance being provided from other sources, the UNDP strategy for cooperation with the Government of Saint Helena focuses on employment and sustainable livelihoods. Given the Territory's efforts to increase its private sector and to mitigate unemployment, the emphasis is on private sector development, particularly, linked to tourism.

18. Three projects are being implemented within the Country Programme 1997-2000. Two are linked to tourism, one of which provides assistance to implement development and marketing proposals in the tourism master plan (strategy for heritage and nature-based tourism development). It includes infrastructural improvement sub-projects to develop tourism and to generate both direct and indirect employment. The second tourism-related project aims to generate long-term employment opportunities on the island by stimulating the private sector. A small business development and management programme for vocational trainees and other qualified participants assists start-up tourism businesses. The third project for "umbrella training" and consultancies, provides technical support for the Government of Saint Helena and its Economic Planning Department to better plan, manage and monitor development projects. This is done through staff training and the production of the island's first human development report, a useful framework for national sustainable human development efforts by the Government, public-private partnerships and international assistance.

Activities in Tokelau

19. UNDP continues to support various key projects in Tokelau aimed at building up the Territory's economic and social capabilities so that it can become more self-sustaining in the medium to long term. These projects are also aimed at creating essential basic

conditions for a self-determination process that is managed with caution by the Tokelauan authorities.

20. Two new programme support documents were signed in December 1999, totalling $362,000. One supports a governance and public sector strengthening project and the other aims to develop a private sector in the tiny island nation based on a narrow range of natural resources — mainly marine resources and coconuts. It looks at establishing a development framework to enable the growth of a private sector on Tokelau through business feasibility studies, business training and management services for a cadre of trainees on each atoll. Significantly, both projects are closely linked to the plans of the Government of New Zealand, particularly the job creation and sustainable livelihoods programme of the Enterprise Development Agency, which is funded by the New Zealand Official Development Assistance Programme. In a small country such as Tokelau, this collaborative approach is essential to the sustainability of the undertakings which will depend in large measure on the suitability of Tokelauan products for New Zealand markets. The governance project will impact future development plans through the establishment of an economic planning unit in the Tokelau Public Service and the upgrading of national financial accounting and management systems. Also ongoing are a constitutional development project to support efforts to produce a constitution based on the groundwork begun in 1997 and a project funded by Small Island Developing States Network to set up an e-mail system in Tokelau. Regarding, the Tokelau telecommunications network project, closed since 1997, the Government of Tokelau and the International Telecommunication Union are discussing the use of residual funds.

21. In a participatory approach to decision-making, all documentation addressing national issues is discussed at the village level and an overall opinion is provided to the Government of Tokelau.

E. United Nations Environment Programme

22. In line with its mandate, the United Nations Environment Programme collaborates with agencies and regional institutions in the protection of the global environment. These efforts explicitly or implicitly serve environmental management goals in both self-governing and Non-Self-Governing Territories.

Notes

[a] Resolution 1514 (XV).

[b] Resolution 41/128, annex.

[c] See *Official Records of the Economic and Social Council, 1992, Supplement No. 2* (E/1992/22), chap. II, sect. A.

[d] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* (E/2000/23), chap. II, sect. A.

[e] See *Official Records of the Economic and Social Council, 1999, Supplement No. 3A* (E/1999/23/Add.1), chap. II.